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Attorneys for Plaintiff, BEN KELLY

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX)	Case No. C-07-1749 CRB
MARKETING SALES PRACTICES AND)	
PRODUCT LIABILITY LITIGATION)	MDL NO. 1699
)	District Judge: Charles R. Breyer
<hr/>		
BEN KELLY,)	
)	
Plaintiff,)	STIPULATION AND ORDER OF
)	DISMISSAL WITH PREJUDICE
vs.)	
)	
PFIZER, INC., PHARMACIA)	
CORPORATION, AND G.D. SEARLE LLC,)	
(FKA G.D. SEARLE & CO.),)	
Defendants.)	

Come now the Plaintiff, Ben Kelly, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys' fees and costs.

1 DATED: August 31, 2009

2 REICH & BINSTOCK, LLP

3
4 By: 

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12 Attorneys for Plaintiffs

13 DATED: Oct. 22, 2009

14 DLA PIPER LLP (US)

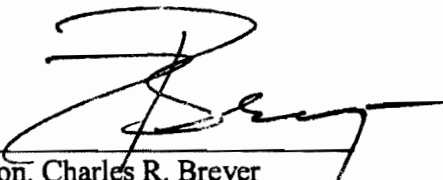
15 By: /s/

16 Matt Holian

17 Attorneys for Defendants

18
19 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
20 **IT IS SO ORDERED.**

21
22 Dated: OCT 28 2009

23 
24 Hon. Charles R. Breyer
25 United States District Court
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DISMISSAL